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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 DAVID DEVENNY,

10 Defendant.

CASE NO. CR11-5235BHS

ORDER DENYING MOTION  
TO SUBSTITUTE COUNSEL

11 This matter comes before the Court on Defendant David Devenny's ("Devenny")  
12 motion to substitute counsel (Dkt. 36).

13 On November 19, 2010, the Court appointed Jerome Kuh and Russell V. Leonard  
14 to represent Devenny. Dkt. 4. On August 8, 2011, Devenny filed a motion to substitute  
15 James L. Vonasch as his attorney of record. Dkt. 36. Mr. Vonasch filed a Notice of  
16 Appearance. Dkt. 37.


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18 Local General Rule 2(g) governs the appearance and substitution of attorneys of  
19 records and provides in part as follows:

20 no attorney shall withdraw an appearance in any cause, civil or  
21 criminal, except by leave of court. Leave shall be obtained by filing a  
22 motion or a stipulation and proposed order for withdrawal or, if appropriate,  
23 by complying with the requirement of CrR 5(d)(2). A motion for  
24 withdrawal shall be noted in accordance with CR 7(d)(3) or CrR 12(c)(7)  
and shall include a certification that the motion was served on the client and  
opposing counsel. A stipulation and proposed order for withdrawal shall  
also include a certification that it has been served upon the client.

25 Local General Rule 2(g)(4)(A). Pursuant to the rule, if Mr. Vonasch is to be Devenny's  
26 only attorney of record, then Mr. Kuh and Mr. Leonard must seek leave of court to  
27 withdraw via either stipulation or motion.

1           Therefore, it is hereby **ORDERED** that Devenny's motion to substitute counsel  
2 (Dkt. 36) is **DENIED**.

3           DATED this 12<sup>th</sup> day of August, 2011.

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8           BENJAMIN H. SETTLE  
9           United States District Judge  
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